

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
UNITED STATES OF AMERICA,)
)
Plaintiff,) 2:08-CR-00066-RK-1
)
vs.) Philadelphia, PA
) February 21, 2008
WILLIAM KING, M.D.,)
)
Defendant.)

TRANSCRIPT OF ARRAIGNMENT
BEFORE THE HONORABLE DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiff: BEA WITZLEBEN, ESQ.
U.S. ATTORNEY'S OFFICE
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Philadelphia, PA 19106

For the Defendant: GERALD B. INGRAM, ESQ.
GERALD B. INGRAM
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Philadelphia, PA 19107

ESR: Michael Owens

Proceedings recorded by electronic sound recording.

1 Colloquy

2 THE CLERK: Judge Strawbridge presiding.

3 THE COURT: Good morning, please be seated. William
4 King?

5 MR. INGRAM: Good morning, Your Honor, Gerald Ingram
6 on behalf of William King.

7 MS. WITZLEBEN: Good morning, Your Honor, Bea
8 Witzleben on behalf of the United States.

9 THE COURT: Good morning. Okay, this matter is here
10 for arraignment. Is this also an initial appearance?

11 MS. WITZLEBEN: It is, Your Honor.

12 MR. INGRAM: Yes, Judge.

13 THE COURT: Okay.

14 MR. INGRAM: Judge, we've received a copy of the
15 indictment and reviewed it, and I'm prepared to enter a plea
16 of not guilty.

17 THE COURT: All right. Dr. King, as an initial
18 appearance, do you understand why it is that you're here
19 today?

20 MR. KING: Yes, sir.

21 THE COURT: Do you understand that you've been
22 charged in an indictment that was returned by the Federal
23 Grand Jury sitting in the Eastern District of Pennsylvania?

24 MR. KING: Yes, sir.

25 THE COURT: Okay. And we're here today for the --

1 Arraignment

2 you're obviously represented by counsel, his appearances has
3 been entered and we are here for arraignment. Are you
4 ready -- has he reviewed the indictment?

5 MR. INGRAM: Yes, yes, we have and we're --

6 THE COURT: And you're ready to proceed?

7 MR. INGRAM: Yes, Judge. We're prepared.

8 THE COURT: Thank you.

9 THE CLERK: William King, M.D., you've been charged
10 in criminal indictment number 08-66, charging you in Counts I
11 through XIII with mail fraud, Counts XIV thorough LXXII,
12 health care fraud, Count I through LXXII, aiding and abetting
13 and in Counts LXXIII through LXXXII, false statements in a
14 health care matter. How say you now to these counts, guilty
15 or not guilty?

16 MR. KING: Not guilty.

17 THE COURT: What's the bail status for Dr. King?

18 MS. WITZLEBEN: Your Honor, the government is
19 prepared to agree to bail conditions. We are recommending
20 Your Honor agreeing to 50,000 dollars OR bail, with the
21 defendant to report to pretrial services as directed. The
22 defendant's travel is restricted to the District of Maryland
23 where, I understand, he currently resides. I understand he'll
24 be supervised out of that district, unless otherwise approved
25 by pretrial services, which would obviously include traveling

1 Arraignment

2 here for any court proceedings. The defendant would be
3 required to surrender or not to possess a new passport if he
4 has one and to surrender and not possess firearms and to have
5 no contact with any witnesses in the case.

6 THE COURT: Okay, and those are all conditions that
7 are agreeable, as I understand it?

8 MR. INGRAM: Yes, Judge. In addition, I want to add
9 that Dr. King -- he's just leaving the state of Washington and
10 so he has to go back to get the remainder of his clothes and
11 things like that so -- and he would just need to travel from
12 the District of Maryland and the Eastern District of
13 Pennsylvania and he also has a house in New Jersey that he
14 resides at as well, so I only ask that travel be restricted
15 there. He has no passport and no firearms.

16 THE COURT: Okay. All right. Well, have you filled
17 out the bail conditions for him?

18 MS. WITZLEBEN: No, Your Honor, I don't think we
19 have. I discussed it with pretrial yesterday but --

20 THE COURT: Okay.

21 MS. WITZLEBEN: -- it's ready right here somewhere.

22 THE COURT: Okay. Well, let's deal with this now,
23 huh?

24 MS. WITZLEBEN: I apologize, Your Honor.

25 THE COURT: No, that's all right. I got one right

1 Colloquy

2 here. I'm going to fill it out right here with you. This is
3 08-66 as I understand, is that right?

4 MS. WITZLEBEN: That's correct, Your Honor.

5 MR. INGRAM: Yes, Judge.

6 THE COURT: All right, and 50,000 dollars OR bail.

7 MR. INGRAM: Yes.

8 THE COURT: Is that correct?

9 MS. WITZLEBEN: Correct.

10 THE COURT: All right. I take it that the
11 government has no objection to extending these restrictions --

12 MS. WITZLEBEN: That's --

13 THE COURT: -- to the District of New Jersey,
14 obviously, this district and back to the District of the State
15 of Washington for the purposes of collecting his --

16 MR. INGRAM: Clothes.

17 MS. WITZLEBEN: Correct, Your Honor.

18 THE COURT: -- his personal matters. And you said
19 District of New Jersey, is that right?

20 MR. INGRAM: Yes, Judge.

21 THE COURT: And I assume the government would have
22 no objection should there be any other contingency arises that
23 if permission was granted by pretrial services for him to
24 travel someplace else --

25 MS. WITZLEBEN: Yes, Your Honor.

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2 THE COURT: -- there'd be no objection to that.

3 MS. WITZLEBEN: He can travel as approved by
4 pretrial services.

5 THE COURT: Yep, okay.

6 MS. WITZLEBEN: The location in New Jersey is a --
7 he still owns -- does he own a place or he has an apartment
8 or --

9 THE COURT: Dr. King?

10 MR. INGRAM: It's an apartment.

11 MS. WITZLEBEN: I had the impression, from the
12 pretrial services report, that he no longer had that apartment
13 and I guess that's incorrect?

14 MR. INGRAM: Yes.

15 MS. WITZLEBEN: He still maintains that apartment on
16 North Park Drive?

17 MR. INGRAM: No, Judge. He has an apartment over
18 there, and there's a chance he may be working there in the
19 same area.

20 MS. WITZLEBEN: I'm sorry. I just wanted to make
21 sure I know where the defendant will be residing.

22 THE COURT: All right.

23 MR. INGRAM: He's going to be residing in Maryland.

24 MS. WITZLEBEN: Okay. So his travel to New Jersey
25 would be for the purposes of employment?

1 Colloquy

2 MR. INGRAM: Yes.

3 MS. WITZLEBEN: And does he have a current position
4 there or --

5 MR. INGRAM: No. Not yet.

6 MS. WITZLEBEN: Okay. We certainly have no
7 objection in travelling to seek gainful employment, Your
8 Honor.

9 THE COURT: Okay. Well, that all certainly would be
10 within -- I'm certain that pretrial services would always
11 grant permission to seek gainful employment.

12 MS. WITZLEBEN: Yes, Your Honor.

13 THE COURT: All right. What is his -- the address
14 where he'll be residing?

15 MR. KING: 9511 Horn Avenue.

16 MR. INGRAM: He says 9511 Horn.

17 THE COURT: 9511 --

18 MR. INGRAM: Horn.

19 THE COURT: H-O-R-N? And where is that?

20 MR. INGRAM: That's in Baltimore, Maryland.

21 THE COURT: Baltimore?

22 MR. INGRAM: Yes, sir.

23 THE COURT: And what's the zip code?

24 MR. INGRAM: 21236.

25 THE COURT: And who will be residing there with you,

1 Colloquy

2 Dr. King?

3 MR. KING: My wife.

4 THE COURT: What is her name?

5 MR. KING: Caroline.

6 THE COURT: Same last name?

7 MR. KING: Yes.

8 THE COURT: All right. You understand, Dr. King,
9 that -- and I'm willing to agree with these conditions -- that
10 to execute an order that would reflect these conditions as
11 agreed to by your counsel and the government. You understand
12 that should there be any violation of the conditions of this
13 release that that could constitute a separate offense under
14 the Federal Code and would potentially subject you to further
15 prosecution under the Federal Code. Do you understand that?

16 MR. KING: Yes, sir.

17 THE COURT: Okay. All right. If you would just be
18 good enough to look that over, and I would ask counsel to sign
19 off on it if you're in agreement with the conditions as I've
20 reflected them.

21 MR. INGRAM: And an appearance bond.

22 THE COURT: Yep. And the appearance bond. There
23 was a place there, I think, for counsel to sign off before I
24 sign the order.

25 MR. SPEAKER: I have a pen. Just make sure that's

1 Colloquy

2 your correct address, please.

3 MS. WITZLEBEN: Your Honor, the only addition I
4 would make to the order is the direction that the defendant
5 have no contact with potential witnesses.

6 THE COURT: Thank you very much, yes. You did say
7 that.

8 MS. WITZLEBEN: I'll just check that box, Your
9 Honor.

10 THE COURT: Yep. Sorry.

11 MR. INGRAM: That only asks, though -- just asking,
12 does that mean that in our preparation of this -- throughout
13 the trial that counsel or our investigators can't contact
14 witnesses?

15 THE COURT: No, not as far as I'm concerned.

16 MS. WITZLEBEN: Counsel's different, Your Honor.

17 THE COURT: Yep. I'm sure the government would not
18 want to seek to impair your ability to properly defend your
19 client.

20 MS. WITZLEBEN: Not even remotely.

21 MR. INGRAM: Thank you, Judge.

22 THE COURT: Made it reflect the proper year. He is
23 presently employed, is that right or not?

24 MR. INGRAM: No, sir.

25 MR. KING: No.

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2 MR. INGRAM: His employment just ended in the state
3 of Washington.

4 THE COURT: All right. Well, I'm going to also
5 check off must seek active employment. That is his current
6 intention, obviously.

7 MR. INGRAM: Yes, yes.

8 THE COURT: Okay. So if there is to be any change
9 with respect you your residence, Dr. King, it will be your
10 obligation to notify pretrial services --

11 MR. KING: Yes, sir.

12 THE COURT: -- make sure that they know where you
13 are. Okay. I understand that you're assigned to Judge Robert
14 Kelly, is that correct Ms. Witzleben?

15 MS. WITZLEBEN: That's correct, Your Honor.

16 THE COURT: Okay, and I see a trial date here of
17 April 14th in Courtroom 11B.

18 MS. WITZLEBEN: Oh, That's news to me, Your Honor.
19 Thank you.

20 THE COURT: Well, that's our crack deputy clerk here
21 that's got that sorted out.

22 MS. WITZLEBEN: April 14th.

23 THE COURT: April 14th.

24 MS. WITZLEBEN: Thank you, Your Honor.

25 THE COURT: 2008. Courtroom 11B. Ten days for

1 Colloquy

2 filing of any pretrial motions. I suggest you confirm that
3 date with Judge Kelly just to make sure that we have it right.

4 MS. WITZLEBEN: We'll do that, Judge. Thanks.

5 MR. INGRAM: I'm sure we'll be asking for
6 contingents there.

7 THE COURT: Up to Judge Kelly and you all. Thank
8 you --

9 MR. INGRAM: May I be excused?

10 THE COURT: -- very much. You certainly may.

11 MR. INGRAM: Thank you.

12 THE COURT: Nice to see you again, sir.

13 MS. WITZLEBEN: Thank you, Your Honor.

14 (Court is adjourned)

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C E R T I F I C A T I O N

I, Zipporah Geralnik, the court approved
transcriber, do hereby certify the foregoing is a true and
correct transcript from the official electronic sound
recording of the proceedings in the above-entitled matter.

ZIPPORAH GERALNIK

March 16, 2009
DATE

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